

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WADE GAUTIER,

Plaintiff,

-against-

Civil Action No. 16-3504

NOTICE OF REMOVAL

RICHARD RUSSO, SYSTEM INTEGRATORS INC,
and ARTHUR WILLIS

Defendant(s).
_____X

TO THE CLERK OF THE ABOVE ENTITLED COURT

PLEASE TAKE NOTICE, that on this date, defendant ARTHUR WILLIS, by his undersigned counsel, WHITE FLEISCHNER & FINO, LLP, has filed this Notice of Removal pursuant to 28 U.S.C. Section 1446(a), in the office of the Clerk of the United States District Court for the Southern District of New York.

Defendant, by his undersigned counsel, shows:

1. Plaintiff WADE GAUTIER brought an action against the defendants in the Supreme Court of the State of New York, County of New York, Index Number: 150831/16 by filing a Summons and Complaint on or about February 1, 2016. A true copy of the Summons is annexed hereto as "Exhibit A". A true copy of the Complaint is annexed hereto as "Exhibit B".
2. The Complaint does not set forth an amount of monetary damages.
3. The defendant Arthur Willis served his Answer to the Complaint on or about March 23, 2016. A true copy of the defendant's Answer is annexed hereto as "Exhibit C".

4. On or about April 14, 2016 the defendant served a Notice to Admit on the plaintiff addressing the monetary amount of the plaintiff's alleged damages. A true copy of the Notice to Admit is annexed hereto as "Exhibit D".

5. On or about April 15, 2016, the plaintiff served a Response to Notice to Admit. A true copy of the Response to Notice to Admit is annexed hereto as "Exhibit E."

6. Based on the plaintiff's Response to Notice to Admit, the plaintiff is making a claim for damages in excess of \$75,000, exclusive of interest and costs.

7. The plaintiff first identified the amount of his damages in the Response to Notice to Admit.

8. Upon information and belief, plaintiff Wade Gautier is a resident and citizen of the State of North Carolina, residing in Fort Bragg, North Carolina, County of Cumberland.

9. Upon information and belief, defendant Richard Russo is a resident and citizen of the State of New York, residing at 40 Orienta Avenue, Lake Grove, New York, County of Suffolk.

10. Defendant System Integrators, Inc. is a resident and citizen of the State of Maryland. Systems, Integrators, Inc is a Maryland corporation with its principal place of business located at 15947 Frederick Road, Lisbon, Maryland, County of Howard. A true copy of a printout from the Maryland Secretary of State website identifying the principal place of business and state of incorporation of System Integrators, Inc. is annexed hereto as "Exhibit F."

11. Defendant Arthur Willis is a resident and citizen of the State of New Jersey, residing at 19 Lenape Lane, Oakland, New Jersey, County of Bergen.

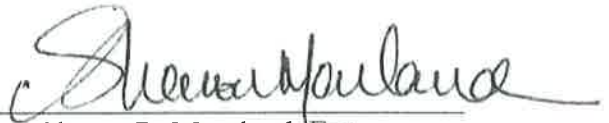
12. Jurisdiction over the subject matter of this action is conferred on this Court by 28 U.S.C. Section 1332(a), as the parties are complete in diversity of citizenship and the amount in controversy exceeds \$75,000, exclusive of interest and costs.

13. This Notice is filed with the Court within thirty (30) days of defendant's receipt, "through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable", as provided by 28 U.S.C. Section 1446(b)(3). Thus, this removal is timely.

PLEASE TAKE FURTHER NOTICE, that defendant ARTHUR WILLIS upon filing the Notice of Removal in the Office of the Clerk of the United States District Court, Southern District of New York, has also filed copies of the Notice of Removal with the Supreme Court of the State of New York, County of New York, 60 Centre St, New York, NY 10007 to effect removal of this action to the United States District Court pursuant to 28 U.S.C. Section 1446(d).

Dated: New York, New York
May 10, 2016

WHITE FLEISCHNER & FINO, LLP

By: 

Sharon B. Moreland, Esq.
Attorneys For Defendant
Arthurs Willis
61 Broadway – 18th Floor
New York, New York 10007
(212) 487-9700
Our File No.: 511-19715